

**ISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

LADARIUS D. MCGEE,

Plaintiff,

v.

Case No. 24-CV-435-JPS

MERRICK B. GARLAND,  
ELIZABETH M. MONFILS, and  
CHRISTOPHER WRAY,

**ORDER**

Defendants.

Plaintiff Ladarius D. McGhee, a prisoner confined at Columbia Correctional Institution, filed a pro se complaint under 42 U.S.C. § 1983 alleging that his constitutional rights were violated. ECF No. 1. On October 29, 2024, Magistrate Judge William E. Duffin issued a recommendation to this Court that this action be dismissed for the failure to state a claim, to issue Plaintiff a strike under 28 U.S.C. § 1915(g), and to deny the motion for emergency relief as moot. ECF No. 13. The time for objecting to the recommendation has passed and no objection has been received. *See* Fed. R. Civ. P. 72; Gen. L.R. 72(c).

The Court has considered the recommendation and, in light of its agreement with Magistrate Judge Duffin's analysis and without objection from Plaintiff, will adopt it.

Accordingly,

**IT IS ORDERED** that Magistrate Judge William E. Duffin's report and recommendation, ECF No. 13, be and the same is hereby **ADOPTED**;

**IT IS FURTHER ORDERED** that this case be and the same is hereby **DISMISSED** under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1) for the failure to state a claim;

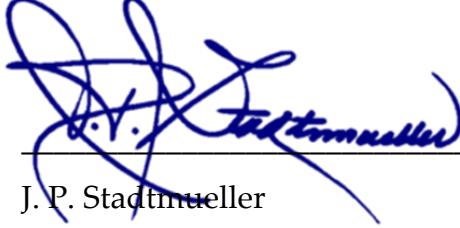
**IT IS FURTHER ORDERED** that the Clerk of Court document that this inmate has incurred a "strike" under 28 U.S.C. § 1915(g); and

**IT IS FURTHER ORDERED** that Plaintiff's motion for emergency relief, ECF No. 12, be and the same is hereby **DENIED as moot**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 14th day of November, 2024.

BY THE COURT:



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J. P. Stadtmauer  
U.S. District Judge